

7562

**Applicants** 

Sunita CHAUHAN et al.

Serial No.

10/501,819

Filed

October 27, 2004

Title

ULTRASONIC TREATMENT OF BREAST CANCER

Docket

NAY 0005 PA

Art Unit

3762

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450,

Alexandria,, VA 22313-1450 on December 15, 2004.

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97, AND 1.98

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 CFR §1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 CFR §1.97(h), constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103, and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish otherwise. Further, pursuant to 37 CFR §1.97(g), the filing of this Statement should not be construed as a statement that a search has been made or that no other material information exists.

Serial No. 10/501,819 Docket No. NAY 0005 PA

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in 37 CFR §1.491 in an international application.

U.S. Patent No. 6,778,848 corresponds to German Patent No. DE 19745400 C1 and is believed to be the equivalent of an English-language translation of a non-English documents or portion thereof, within the possession, custody, or control of, or readily available to any individual designated in 37 CFR 1.56(c) under 37 CFR 1.98(a)(3)(ii).

The Office has waived the requirement pursuant to 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A.

Respectfully submitted, DINSMORE & SHOHL LLP

Ву

James E. Beyer

Registration No. 39,564

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6438
Facsimile: (937) 223-0724

93417-26 MZ/lmd/kec

Encls.

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO	Complete if Known			
	Application Number	10/501,819		
INFORMATION DISCLOSURE	Filing Date	10/27/2004		
	First Named Inventor	Sunita Chauhan		
STATEMENT BY APPLICANT (Use as many sheets as necessary)	Art Unit	3762		
	Examiner Name			
Sheet 1 of 1	Attorney Docket Number	NAY 0005 PA		

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (F known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 5,522,869	06-04-1996	E. Burdette	
		<sup>US-</sup> 5,549,638	08-27-1996	E. Burdette et al.	
		US- 6,778,848	08-17-2004	Bechtold et al.	
		US-			, i
		US-			
		U\$-			
		US-			
		US-			
		US-			
·		US-			
		US-			

		FORE	IGN PATENT DOCU	IMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	Γ.
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (# known)	MM-DD-YYYY		Or Relevant Figures Appear	Τ*
_		DE 19745400 C1	04-15-1999	Siemens AG		
-						

	· · · · · · · · · · · · · · · · · · ·		 
Examiner		Date	
Signature		Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \*Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.